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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221651
Party	Plaintiff Best In Shelter, Inc.
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Submission	Other Motions/Papers
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Date	04/27/2015
Attachments	H00213B Motion for Suspension of Proceedings (April 27, 2015) As Filed.pdf(21143 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re the Matter of: Application Serial No. 86354104
Mark Opposed: BEST IN SHELTER WITH JILL RAPPAPORT

BEST IN SHELTER, INC.,

Opposer,

v.

JR RESCUED ME, LLC,

Applicant.

Opposition No. 91221651

OPPOSER'S MOTION TO SUSPEND PROCEEDINGS

Opposer, by its attorney, hereby requests that proceedings herein be suspended pending disposition of the pending Motion for Summary Judgment filed in related Opposition No. 91217659.

In support of this request for suspension of proceedings, Opposer notes that pending Opposition No. 91217659 has been filed against the registration of the mark BEST IN SHELTER (Ser. No. 86176956) based on Opposer's prior use of the identical mark under Section 2(d) of the Trademark Act. A Motion for Summary Judgment was filed in Opposition No. 91217659 on November 20, 2014 and proceedings have been suspended pending disposition of the Motion.¹

Opposer requests that proceedings in this opposition be suspended pending disposition of the Summary Judgment Motion in the earlier Opposition No. 91217659 inasmuch as a decision in the Summary Judgment Motion in the earlier case may have a bearing on the issues presented in this opposition.

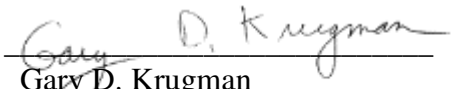
Counsel for Applicant has agreed to this request for suspension and it is respectfully requested that it be granted.

¹ Applicant's prior attorney has filed a Motion Pursuant to Rule 56(d) for continued discovery before being required to respond to the Motion for Summary Judgment. Opposer has filed an opposition to the Rule 56(d) Motion to allow Applicant to take discovery before being required to respond to the Summary Judgment Motion. Applicant's counsel in these oppositions has now withdrawn from the cases and new counsel has made an appearance on April 3, 2015 in both cases.

The Board is further advised that the attorneys for the parties have held a telephone conference and discharged their obligations with respect to the mandatory discovery conference in this case.

Respectfully submitted,

BEST IN SHELTER, INC.

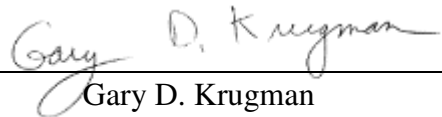
By: 
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **OPPOSER'S MOTION FOR SUSPENSION OF PROCEEDINGS** has been served on this 27th day of April 2015 via first class mail, postage prepaid to:

Sally M. Abel
Fenwich & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94010

Attorney for Applicant



Gary D. Krugman